

### REMARKS

Claims 1-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yuang et al. (IEEE Journal on Selected Areas in Communications, vol. 15, #2, 1997, pp 136-146) in view of Jain (U.S. Patent 5,125,100). Claims 1-12 are in the application.

On the merits, Applicant respectfully submits that the pending claims, as amended, are patentable for at least the following reasons.

Amended independent claim 1 is directed to an arrangement for reproducing a multimedia signal comprises presenting means for presenting the multimedia signal to a user, the arrangement station comprising delay determining means for determining a delay measure representing the arrival delay of packets carrying the multimedia signal, characterized in that the presenting means comprise control means having comparison means for determining a difference signal representing a difference between the delay measure and a reference value, and in that the presentation means comprises adjusting means for adjusting the presenting speed in dependence on the difference signal.

Yuang, as read by the applicants, relates to an IVS system using a neural network to predict network traffic. The IVS system adopts various play out rates according to the window and the current number of packets in the play out buffer (see page 140 section IV). However, the play out rates are not derived from the number of packets in the play out buffer by computing a difference between this number and a reference value. The IVS system first determines a window size (a

number of slots) and divides this by the packet time. The result is compared against a maximum play out rate number and a reduced play out rate is applied if the result of the division is less than this maximum (see page 140 paragraph 2). The use of a window is essential to the prior art system. Traffic is smoothed by evenly spreading out the slots among packets within a particular window (see Id.).

Jain, as read by the applicants, relates to a clock synchronization and dynamic jitter management for voice over IP and real-time data.

Yuang and Jain fail, either alone or in combination, to teach, show or imply a different signal representing a difference between the delay measure and a reference value is determined, nor that the presentation speed is adjusted in dependence on the difference signal, as specifically recited in amended claim 1. Independent claim 9 recites similar limitations.

In contrast, according to the present invention the number of packets in the buffer is measured and this number is compared directly to the reference value. If the number is smaller than the reference value, the presentation speed is decreased, which means the buffer is read out less often giving it a chance to fill with packets. If the number of packets in the buffer exceeds the reference value, the presentation speed is increased which means that the number of packets in the buffer will slowly decrease. This way, variations in delays are compensated for by changing the presentation speed accordingly. See also page 6, line 29 to page 7, line 11. Thus, the invention provides an easy and effective way for determining the presentation speed from the delay measure.

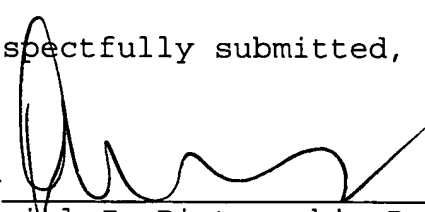
Applicants can find nothing in either Yuang and Jain to suggest that the number of packets in the buffer can be compared directly against the reference value. Moreover, there is no reason why one skilled in the art would do away with the window size determination and instead directly compare the number of packets against a reference value, without improper hindsight by "use[ing] the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention," see *In Re Denis Rouffet*, 47 USPQ.2d 1453, 1457-58 (Fed. Cir. 1998).

Accordingly, at least for these reasons, independent Claims 1 and 9 are believed to be patentable over the cited art.

The other claims in this application are each dependent from the independent claim discussed above and are, therefore, believed allowable and patentable under 35 U.S.C. § 103 for the same reasons.

In view of the foregoing remarks, applicants respectfully request, entry of this amendment, favorable reconsideration and early passage to issue of the present application.

Respectfully submitted,

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## APPENDIX A

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#### IN THE CLAIMS

Please cancel claims 4 and 8 without prejudice, add new claim 17 and amend the claims as follows:

1.        (Amended) An arrangement for reproducing a multimedia signal comprises presenting means for presenting the multimedia signal to a user, ~~characterized in that~~ wherein the arrangement station comprises delay determining means for determining a delay measure representing the arrival delay of packets carrying the multimedia signal, and ~~in that~~ the presenting means comprises control means having comparison means for determining a difference signal representing a difference between the delay measure and a reference value, and in that the presentation means comprises adjusting means for adjusting the presenting speed in dependence on the difference signal.

~~are arranged for varying the presentation speed in dependence on said delay measure within approximately 240%.~~

2.        (Amended) The Arrangement according to claim 1, ~~characterized in that~~wherein the multimedia signal comprises an audio signal, and in that the presenting means are arranged for varying the presenting speed of the audio signal without substantially changing a perceived intonation of the audio signal.

3.        (Amended) The Arrangement according to claim 2, ~~characterized in that~~wherein the audio signal is represented by a plurality of segments comprising a plurality of signals being described by at least their amplitude and frequency, and in that the presenting means are arranged for changing the duration of said segments in dependence on said delay measure.

5. (Amended) The Aarrangement according to claim 14, ~~eharaeterized in that~~wherein the presentation means comprises adaptation means for adapting the reference value in dependence on the variations of the difference value.

6. (Amended) The Aarrangement according to claim 1, ~~eharaeterized in that~~wherein the multimedia signal comprises a video signal.

7. (Amended) The Aarrangement according to claim 6, ~~eharaeterized in that~~wherein the video signal is represented by a at least one object, and in that the presentation means are arranged for varying the presentation speed by adjusting a movement speed of at least one object in the video signal.

9. (Amended) A method for reproducing a multimedia signal, said method comprises presenting the multimedia signal to a user, ~~eharaeterized in that the method further comprises~~ determining a delay measure representing an arrival delay of packets carrying the multimedia signal, and ~~in that the method comprises~~ determining a difference signal representing a difference between the delay measure and a reference value, and adjusting the presenting speed in dependence on the difference signal.~~ehanging the presentation speed in dependence on said delay measure within approximately 240%.~~

10. (Amended) The Mmethod according to claim 9, ~~eharaeterized in that~~wherein the multimedia signal comprises an audio signal, and in that the method comprises varying the presenting speed of the audio signal without substantially changing a perceived intonation of the audio signal.

11. (Amended) The method according to claim 10, ~~eharaeterized in that~~wherein the audio signal is represented by a plurality of segments comprising a plurality of waveforms being described by at

least their amplitude and frequency, and in that the method comprises changing the duration of said segments in dependence on said delay measure.

12.        (Amended) ~~M~~The method according to claim 9, ~~characterized in that~~wherein the multimedia signal comprises a video signal.

13.        (Amended) The method according to claim 12, ~~characterized in that~~wherein the video signal is represented by a at least one object, and in that the method comprises varying the presentation speed by adjusting a movement speed of at least one object in the video signal.

17.        (New) The method according to claim 11, further including the step of adapting the reference value in dependence on the variations of the difference signal.